

REMARKS/ARGUMENTS

Applicant has amended the claims in response to the office action, by, among other things, correcting the errors that the Examiner pointed out in Claim 101 as to the preamble and 2-methyl-1-butanol.

35 USC Section 112 – Written Description

The Examiner rejected Claims 101-105 under 35 USC Section 112, paragraph 1, asserting that the specification lacked support for the recited percentages of 2-methyl-1-butanol. In order to advance prosecution, Applicant has amended these percentages to correspond exactly to the percentages set forth in Table 8 on page 32 of the specification. Therefore, Applicant respectfully requests withdrawal of this rejection.

35 USC Section 103 – Obviousness Rejection

The Examiner also rejected Claims 101-105 under 35 USC Section 103 as unpatentable over Hertig taken with Rehnig and Saksena. In order to establish a prima facie case of obviousness, the differences between the cited references and the claimed subject matter must be ascertained and a proposed modification provided to arrive at the claimed subject matter. Please see MPEP Section 706.02(j). In the present case the cited Hertig reference describes the use of isobutyric acid to inhibit the growth of microbes. Hertig, however, describes use of mixtures that contain at least 10% isobutyric acid and does not provide support or motivation for use of the 5% isobutyric acid claimed in the present application. Furthermore, neither the Rehnig nor the Saksena references provide support or motivation for use of 5% isobutyric acid as neither reference discusses isobutyric acid (but rather focus on 1-pentanol and/or 1-isobutanol). Because the cited

references do not disclose nor provide motivation for use of a mixture of volatile organic compounds containing 5% isobutyric acid by volume, Applicant respectfully requests reconsideration and withdrawal of this rejection.

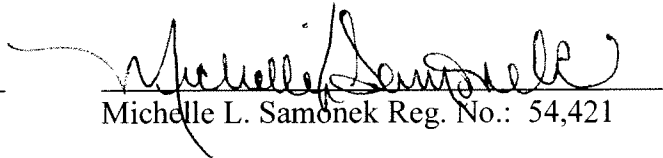
CONCLUSION

Applicant has concurrently filed electronically a petition for a three-month extension of time to reply to the office action and a credit card authorization to cover the required fees.

In light of the above amendments and remarks, Applicant believes that each of the presently pending claims in this application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. The Examiner is invited to call the undersigned at the number provided below in order to discuss any aspect of this response.

Respectfully submitted,

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